

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ERVIN JORDAN,	:	CIVIL ACTION NO. 1:04-CV-2738
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
DICK SIMON TRUCKING, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 9th day of May, 2005, upon consideration of defendants' unopposed motion (Doc. 4) to strike the *ad damnum* clause from the complaint, and it appearing that the clause sets forth unliquidated damages in a sum certain, see L.R. 8.1 ("The demand for judgment required in any pleading in any civil action . . . shall not claim any specific sum where unliquidated damages are involved."); see also R.S.E., Inc.v. Pennsy Supply, Inc., 77 F.R.D. 702, 702 (M.D. Pa. 1977) (stating that *ad damnum* clause should be stricken where "juror prejudice may ensue from the allegations of 'purely arbitrary figures'"); 5 CHARLES ALAN WRIGHT & ARTHUR R. MILLER, FEDERAL PRACTICE AND PROCEDURE § 1259 (3d ed. 2004) (stating that specific demand may "improperly influence" the jury or cause "other indirect injury" to the defendant), it is hereby ORDERED that the motion (Doc. 4) is GRANTED and the *ad damnum* clause is STRICKEN from the complaint.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge